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**From:** Wetherington, Michele [Wetherington.Michele@epa.gov]  
**Sent:** 10/1/2020 4:26:42 PM  
**To:** Gordon, Lisa Perras [Gordon.Lisa-Perras@epa.gov]; Cooper, Jamal [cooper.jamal@epa.gov]  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

I'm not really comfortable with the success of playing this game of telephone down through JG then back up to Leif, I don't think it will get the result she wants. Those two should talk to each other. I will pass this up to Mita and get her help telling Leif. But at the same time I suggest you pass back up through Tony to JG that she talk to Leif if she's concerned with what he'll say. What he said at the RA briefing is what he wanted to say after I'd prepped him.

Thanks,

Michele

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**From:** Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>  
**Sent:** Thursday, October 1, 2020 11:47 AM  
**To:** Cooper, Jamal <cooper.jamal@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

Michele, Here is the other thing - From my notes (and I wrote as much as I could capture with exact quotes where possible):

Jeaneanne indicated that she wanted, 'the attorneys to make our strongest arguments.'  
She said that our message is that the state submitted it as a change to standards to be reviewed, our reading of it is that it is a change to standards, and they did not give us the information we needed. We gave them an opportunity to give it to us again, and they didn't give it to us. "It's just that simple." "That's what this turns on."

She said that if we get into an argument about 'unreasonably' then that's where the attorneys have the strongest argument that unreasonably has a meaning, so she wants you and Leif to make the argument it is a change to standards and that they didn't give us what we needed. She said, "stick to that, it's our strongest argument."

She also said that the litigation risks were critical to understand and she wants you to do both of those.

Possible for you to get that approach to Leif? It differs now from making arguments that support or 'thread the needle' on how to make non-substantive work – which is a very positive shift. So, good for him to know that.

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**From:** Cooper, Jamal <cooper.jamal@epa.gov>  
**Sent:** Thursday, October 1, 2020 11:26 AM  
**To:** Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

I will leave as is. The changes can be saved.

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**From:** Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>  
**Sent:** Thursday, October 1, 2020 11:24 AM  
**To:** Wetherington, Michele <Wetherington.Michele@epa.gov>; Cooper, Jamal <cooper.jamal@epa.gov>  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

Follow-up: Would you recommend that T/S edits to litigation risk be not accepted?

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**From:** Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Sent:** Thursday, October 1, 2020 11:18 AM  
**To:** Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>; Cooper, Jamal <cooper.jamal@epa.gov>  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

I vote leave as is, but don't feel strongly so Jamal, delete the DU phrase if you want to.  
Lit risk: Stacey/Tony deleted phrases. To accept those deletions, I made the accompanying additions. None of the edits needed to be made. It can remain as it was for Mary Walker's briefing.

Thanks,

Michele

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**From:** Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>  
**Sent:** Thursday, October 1, 2020 11:09 AM  
**To:** Wetherington, Michele <Wetherington.Michele@epa.gov>; Cooper, Jamal <cooper.jamal@epa.gov>  
**Subject:** RE: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

I leave that section up to you two – if its accurate, we should recommend leaving it. In my opinion, MW will not be phased by that change, as it's not her focus.

Michele, as noted, JG wants to know if Leif agrees with the changes to litigation risk and if he thinks they should be made. She also said that litigation risk was one of our strongest arguments – so she wanted it to be strong. Thoughts?

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**From:** Wetherington, Michele <Wetherington.Michele@epa.gov>  
**Sent:** Thursday, October 1, 2020 10:51 AM  
**To:** Cooper, Jamal <cooper.jamal@epa.gov>; Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>  
**Subject:** FW: Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

Should we just leave 2 ii as is now? Stacey is talking about deleting the DU phrase at the top of it but it is accurate as is right now.

Michele

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**From:** Bouma, Stacey <Bouma.Stacey@epa.gov>  
**Sent:** Thursday, October 1, 2020 9:55 AM  
**To:** Cooper, Jamal <cooper.jamal@epa.gov>; Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>; Able, Tony <Able.Tony@epa.gov>  
**Subject:** Bouma, Stacey shared "GA Narrative RA Brief-09102020-edits10012020" with you.

Here was the latest version of the tracked changes discussed with Jeaneanne this morning. Can you make the changes as discussed, including the simplification of option 2 ii as Michele had suggested yesterday. If you can draft a summary email for JMG to send to Mary related to these changes that would be great too